

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIA AGNE, on her own behalf and on
behalf of other similarly situated persons,

Plaintiff,

v.

PAPA JOHN'S INTERNATIONAL, INC.,
et al.,

Defendants.

Case No. 2:10-cv-01139-JCC

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S *EX PARTE* MOTION FOR
LEAVE TO FILE NEW EVIDENCE IN
OPPOSITION TO DEFENDANT JTF
ENTERPRISES'S MOTION TO DISMISS**

WHEREAS the Court has considered Plaintiff Maria Agne's *Ex Parte* Motion for Leave to File New Evidence with regard to Defendant JTF Enterprises, Inc.'s Motion to Dismiss (Dkt. No. 175), IT IS HEREBY ORDERED that Ms. Agne has leave to file the Supplemental Declaration of Albert H. Kirby, including its attached excerpts from the deposition of Kevin Sonneborn, which the Court will consider when ruling upon the motion to dismiss.

DATED this _____ day of _____ 2012.

THE HONORABLE JOHN C. COUGHENOUR

Presented by:

/s/ Albert H. Kirby
Albert H. Kirby, WSBA #40187
ahkirby@kirby-legal.com
KIRBY LAW GROUP
93 S. Jackson St. #63230
Seattle, WA 98104-2818
Tel: (206) 414-9950
Fax: (866) 845-6302

ORDER
(Case No. 2:10-cv-01139-JCC)

KIRBY LAW GROUP
93 S. Jackson St. #63230
Seattle, WA 98104-2818
Ph: (206) 414-9950
Fax: (866) 845-6302

1 -and-

2 Donald W. Heyrich, WSBA #23091

3 *dheyrich@hkm.com*

4 **HEYRICH KALISH MCGUIGAN PLLC**

5 1325 Fourth Avenue, Suite 540

6 Seattle, WA 98101

7 Tel: (206) 838-2504

8 Fax: (206) 838-2505

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
ORDER
(Case No. 2:10-cv-01139-JCC)

Page 1

KIRBY LAW GROUP

93 S. Jackson St. #63230

Seattle, WA 98104-2818

Ph: (206) 414-9950

Fax: (866) 845-6302

DECLARATION OF SERVICE

I, the undersigned, certify that, on this date, a true copy of the foregoing document will be or has been served on the persons listed below in the manner shown:

Joseph P. Lawrence
Joan L. Roth
LAWRENCE & VERSNEL, PLLC
4120 Columbia Center
701 Fifth Avenue
Seattle, WA 98104

☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☐ Direct Email
☒ CM/ECF Notification

James Howard
Jessica M. Andrade
DORSEY & WHITNEY LLP
701 Fifth Avenue, Suite 6100
Seattle, WA 98104

☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☐ Direct Email
☒ CM/ECF Notification

Robert Wisnovsky
270 Wells Fargo Dr.
Jacksonville, OR 97530
Email: rwisnovsky@aol.com

☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☒ Direct Email
☐ CM/ECF Notification

John S. George
P.O. Box 375
Jacksonville, OR 97530
Email: jnbgeorge@gmail.com

☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☒ Direct Email
☐ CM/ECF Notification

Daniel J. Gunter
Riddell Williams P.S.
1001 Fourth Ave., Suite 4500
Seattle, WA 98154
Phone: (206) 624-3600

☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☐ Direct Mail
☒ CM/ECF Notification

Dated: February 3, 2012

/s/ Albert H. Kirby
Albert H. Kirby, WSBA #40187